

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
 Plaintiff(s),  
 v.  
 DERRICK VINCENT,  
 Defendant(s).

Case No.: 2:16-cr-00168-GMN-NJK

**ORDER**

[Docket No. 98]

Pending before the Court is the application to proceed *in forma pauperis* filed by Movant Derrick Vincent. Docket No. 98. “When submitting an application to proceed *in forma pauperis*, an incarcerated or institutionalized person must simultaneously submit a certificate from the institution certifying the amount of funds currently held in the applicant’s trust account at the institution and the net deposits in the applicant’s account for the six months before the date of submission of the application.” Local Special Rule 1-2. At the time Movant filed this application, he was a detainee at the Nevada Southern Detention Center, Docket No. 98 at 4, and he was therefore required to file the certificate discussed in Local Special Rule 1-2, *see Anderson v. CPS*, Case No. 2:17-cv-00659-JAD-PAL, 2017 WL 2389419, at \*1-2 (D. Nev. May 2, 2017), *adopted*, 2017 WL 2380171 (D. Nev. June 1, 2017). As Movant’s application here does not include the required certificate, it will be denied on that basis.

The Court also notes that a filing fee is not required in this District for a motion filed pursuant to 28 U.S.C. § 2255. *E.g., United States v. Canterbury*, Case No. 2:16-cr-00107-KJD-PAL, Docket No. 153 at 1 (D. Nev. Sept. 20, 2018). Hence, to the extent Movant filed the above application as a means to avoid the filing fee, an application to proceed *in forma pauperis* is not

1 necessary.<sup>1</sup> To the extent Movant is seeking to be recognized as a pauper for other reasons  
2 pertinent to this litigation, he may refile his application in compliance with the governing rules.

3 Accordingly, the application to proceed *in forma pauperis* is **DENIED** without prejudice  
4 as incomplete. To the extent Movant continues to seek a finding that he is a pauper, he must file  
5 a complete application that complies with the governing rules by January 19, 2021.

6 The Clerk's Office is **INSTRUCTED** to mail Movant a blank form of the *in forma*  
7 *pauperis* application used for prisoners.

8 IT IS SO ORDERED.

9 Dated: December 18, 2020

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13 Nancy J. Koppe  
14 United States Magistrate Judge  
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28 <sup>1</sup> The Court further notes that granting of an application to proceed *in forma pauperis* does  
not extend to the issuance or service of subpoenas at government expense. *Id.* at 2. Hence, any  
such application will not afford relief as to those costs, even if granted.